

REMARKS/ARGUMENTS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 1-18 are pending in this case. Claims 2, 9-15, 17, and 18 are amended by the present amendment. Amended Claims 2, 9-15, 17, and 18 are supported by the original claims, and therefore add no new matter.

In the outstanding Office Action, Claims 9-18 were objected to; Claims 1-3, 7-11, 15, and 17 were rejected under 35 U.S.C. §102(3) as anticipated by Baum et al. (U.S. Patent No. 5,867,478, hereinafter “Baum”). Claims 4-6, 12-14, 16, and 18 were objected to as being dependent on a rejected base claim, but otherwise were indicated as including allowable subject matter if re-written in independent form.

Applicants gratefully acknowledge the indication that Claims 4-6, 12-14, 16, and 18 include allowable subject matter.

Claim 2 is amended to correct an informality.

With regard to the objection to Claims 9-18, Claims 9-15, 17, and 18 are amended to replace “means” with “unit.” Accordingly, the objection to Claims 9-18 is believed to be overcome.

With regard to the rejection of Claim 1 as anticipated by Baum, that rejection is respectfully traversed.

Independent Claim 1 recites:

a step of selecting from the n sub-carriers, a predetermined number of sub-carriers for insertion of common control channel signals and common pilot signals; and
style="padding-left: 40px;">a step of inserting a common control channel signal and a common pilot signal into the selected sub-carriers.

In contrast, Baum may describe multiplexing *pilot channels*, but does not teach or suggest multiplexing *control channel signals*. In fact, it is respectfully submitted that Baum does not provide any description of control channel signals.

As is well known in the art, control channel signals and pilot signals are completely different from each other. Control channel signals are exchanged between a base station and mobile stations for control purposes, such as call set-up. However, pilot signals are sent from a base station to mobile stations for the purpose of estimating an amplitude change and phase change that the received signal has experienced.

In addition to the widely known and well-defined differences between control channel signals and pilot signals, the fact that Claim 1 recites both “common control channel signals” and “common pilot signals” requires that the “common control channel signals” in Claim 1 must be interpreted as being different from the “common pilot signals” of Claim 1.

As described above, Baum describes at most the insertion of *pilot signals*, and makes no mention whatsoever of the insertion of *control channel* signals. Accordingly, Baum clearly fails to teach each and every element recited in Claim 1. Consequently, Claim 1 (and Claims 2-7 and 16 dependent therefrom) is not anticipated by Baum and is patentable thereover.

Independent Claim 8 recites:

a common channel signal insertion unit selecting, from the n sub-carriers, a predetermined number of sub-carriers for insertion of common control channel signals and inserting a common control channel signals into the selected sub-carriers, and

a pilot signal insertion unit selecting, from the n sub-carriers, a predetermined number of sub-carriers for insertion of common pilot signals and inserting a common pilot signals into the selected sub-carriers.

As noted above, Baum describes at most the insertion of *pilot signals*, and makes no mention whatsoever of the insertion of *control channel* signals. Thus, Baum clearly fails to

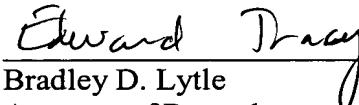
Application No. 09/926,193
Reply to Office Action of June 6, 2006

teach each and every element recited in Claim 8. Therefore, Claim 8 (and Claims 9-15, 17 and 18 dependent therefrom) is not anticipated by Baum and is patentable thereover.

Accordingly, the pending claims and the present application are believed to be in condition for formal allowance. An early and favorable action to that effect is, therefore, respectfully requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



Bradley D. Lytle

Attorney of Record
Registration No. 40,073

Edward Tracy
Registration No. 47,998

Customer Number
22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 06/04)

I:\ATTY\ET\214072US\214072US-AMD9.6.06.DOC